

FILED 08 OCT 27 11 06 USDC ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WALT MODEN et al.,
Plaintiffs,

Civil No. 08-CV-214-CL

v.

U.S. FISH AND WILDLIFE,
et al.

ORDER APPROVING CONTESTED
REPORT AND RECOMMENDATION

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiff has filed objections. I have given the file of this case de novo review. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

I find no error in the Report and Recommendation. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#25) is adopted.

The request for oral argument (#28) is denied.

The case is dismissed.

IT IS SO ORDERED.

DATED this 27 day of October, 2008.



OWEN M. PANNER
U.S. DISTRICT JUDGE